

Adopted	Rejected
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COMMITTEE REPORT

YES:	12
NO:	0

MR. SPEAKER:

*Your Committee on Public Health, to which was referred House Bill 1310, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Delete everything after the enacting clause and insert the
- 2 following:
- 3 SECTION 1. IC 25-1-7-1, AS AMENDED BY P.L.147-1997,
- 4 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 5 JULY 1, 1998]: Sec. 1. As used in this chapter:
- 6 "Board" means the appropriate agency listed in the definition of
- 7 regulated occupation in this section.
- 8 "Director" refers to the director of the division of consumer
- 9 protection.
- 10 "Division" refers to the division of consumer protection, office of
- 11 the attorney general.
- 12 "Licensee" means a person who is:
- 13 (1) licensed, certified, or registered by a board listed in this
- 14 section **or certified under IC 25-23.6-12**; and
- 15 (2) the subject of a complaint filed with the division.
- 16 "Person" means an individual, a partnership, a limited liability

1 company, or a corporation.

2 "Regulated occupation" means an occupation in which a person is
3 licensed, certified, or registered by one (1) of the following:

- 4 (1) Indiana board of accountancy (IC 25-2.1-2-1).
- 5 (2) Board of registration for architects (IC 25-4-1-2).
- 6 (3) Indiana auctioneer commission (IC 25-6.1-2-1).
- 7 (4) State board of barber examiners (IC 25-7-5-1).
- 8 (5) State boxing commission (IC 25-9-1).
- 9 (6) Board of chiropractic examiners (IC 25-10-1).
- 10 (7) State board of cosmetology examiners (IC 25-8-3-1).
- 11 (8) State board of dental examiners (IC 25-14-1).
- 12 (9) State board of funeral and cemetery service (IC 25-15-9).
- 13 (10) State board of registration for professional engineers
14 (IC 25-31-1-3).
- 15 (11) Indiana state board of health facility administrators
16 (IC 25-19-1).
- 17 (12) Medical licensing board of Indiana (IC 25-22.5-2).
- 18 (13) Indiana state board of nursing (IC 25-23-1).
- 19 (14) Indiana optometry board (IC 25-24).
- 20 (15) Indiana board of pharmacy (IC 25-26).
- 21 (16) Indiana plumbing commission (IC 25-28.5-1-3).
- 22 (17) Board of podiatric medicine (IC 25-29-2-1).
- 23 (18) Board of environmental health specialists (IC 25-32-1).
- 24 (19) State psychology board (IC 25-33).
- 25 (20) Speech-language pathology and audiology board
26 (IC 25-35.6-2).
- 27 (21) Indiana real estate commission (IC 25-34.1-2).
- 28 (22) Indiana board of veterinary medical examiners
29 (IC 15-5-1.1).
- 30 (23) Department of natural resources for purposes of licensing
31 water well drillers under IC 25-39-3.
- 32 (24) Respiratory care committee (IC 25-34.5).
- 33 (25) Private detectives licensing board (IC 25-30-1-5.1).
- 34 (26) Occupational therapy committee (IC 25-23.5).
- 35 (27) Social worker, marriage and family therapist, and mental
36 health counselor board (IC 25-23.6).
- 37 (28) Real estate appraiser licensure and certification board
38 (IC 25-34.1-8).

- 1 (29) State board of registration for land surveyors
- 2 (IC 25-21.5-2-1).
- 3 (30) Physician assistant committee (IC 25-27.5).
- 4 (31) Indiana athletic trainers certification board (IC 25-5.1-2-1).
- 5 (32) Indiana dietitians certification board (IC 25-14.5-2-1).
- 6 (33) Indiana hypnotist committee (IC 25-20.5-1-7).
- 7 (34) Any other occupational or professional agency created after
- 8 June 30, 1981.

9 SECTION 2. IC 25-23.6-12 IS ADDED TO THE INDIANA
 10 CODE AS A NEW CHAPTER TO READ AS FOLLOWS
 11 [EFFECTIVE JANUARY 1, 1999]:

12 **Chapter 12. Certification by Organization Affiliated with a**
 13 **National Association**

14 **Sec. 1. (a) An individual who is:**

- 15 (1) certified by an organization that is affiliated with the
- 16 National Association of Alcoholism and Drug Abuse
- 17 Counselors or the International Certification and
- 18 Reciprocity Consortium - Alcohol and Other Drug Abuse,
- 19 Inc., as a drug abuse counselor, an alcoholism counselor, or
- 20 a drug abuse and alcoholism counselor; and
- 21 (2) eligible to act as a drug abuse counselor, an alcoholism
- 22 counselor, or a drug abuse and alcoholism counselor in a
- 23 program approved by the division of mental health;

24 is subject to the same standards of practice and investigation
 25 procedures that govern a mental health counselor licensed under
 26 this article.

27 (b) The board shall investigate and prosecute a complaint
 28 against an individual described in subsection (a) in the same
 29 manner as a licensed mental health counselor.

30 (c) If the board determines after a hearing that an individual
 31 described in subsection (a) should be disciplined, the board shall
 32 submit its findings and recommendations within thirty (30) days to
 33 the organization affiliated with the National Association of
 34 Alcoholism and Drug Abuse Counselors or the International
 35 Certification and Reciprocity Consortium - Alcohol and Other
 36 Drug Abuse, Inc. that certified the individual.

37 **Sec. 2. (a) Each organization that is affiliated with the National**
 38 **Association of Alcoholism and Drug Abuse Counselors or the**

1 **International Certification and Reciprocity Consortium - Alcohol**
 2 **and Other Drug Abuse, Inc. as a drug abuse counselor, an**
 3 **alcoholism counselor, or a drug abuse and alcoholism counselor**
 4 **must provide the bureau with a list of names and addresses of**
 5 **individuals who are certified by the organization and who reside in**
 6 **the state.**

7 (b) The bureau shall maintain a registry containing the names
 8 and addresses of individuals reported under subsection (a) and
 9 individuals licensed under this article.

10 **Sec. 3. An individual who is certified by an organization that**
 11 **is affiliated with the National Association of Alcoholism and Drug**
 12 **Abuse Counselors or the International Certification and**
 13 **Reciprocity Consortium - Alcohol and Other Drug Abuse, Inc. as**
 14 **a drug abuse counselor, an alcoholism counselor, or a drug abuse**
 15 **and alcoholism counselor may not practice the following:**

16 (1) Except for an individual who is licensed in a profession
 17 that permits counseling to recover a memory of child abuse,
 18 counseling to recover a memory of child abuse or another
 19 similar condition.

20 (2) Except for an individual certified under IC 25-20.5,
 21 hypnotism (as defined in IC 25-20.5-1-4).

22 **Sec. 4. (a) The drug abuse and alcoholism advisory committee**
 23 **is established.**

24 (b) The committee consists of three (3) drug abuse and
 25 alcoholism counselors described in section 1(a) of this chapter who
 26 are appointed and serve at the will of the director of the bureau.
 27 Not more than two (2) of the committee members may be from the
 28 same political party.

29 (c) The committee shall:

30 (1) assist the board in developing rules for the administration
 31 of this chapter; and

- 1 **(2) perform duties assigned by the board.**
- 2 **Sec. 5. A person who violates this chapter commits a Class A**
- 3 **infraction.**

(Reference is to HB 1310 as introduced.)

and when so amended that said bill do pass.

Representative C. Brown